

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

Commodity Futures Trading Commission,)
Plaintiff,)
v.) Case No. 20-3758
Long Leaf Trading Group, Inc., James A.) Hon. Thomas A. Durkin
Donelson, Timothy M. Evans, Jeremy S.)
Ruth, and Andrew D. Nelson,)
Defendants.)

**PLAINTIFF'S MOTION FOR ENTRY OF DEFAULT
AGAINST DEFENDANT ANDREW NELSON**

Pursuant to Rule 55(a) of the Federal Rules of Civil Procedure, Plaintiff Commodity Futures Trading Commission (“CFTC”) requests that the clerk enter default against Defendant Andrew Nelson in the above-captioned case.¹

Defendant Nelson has not answered the CFTC’s complaint, participated in discovery, or otherwise attempted to defend himself in this case. The CFTC filed its complaint on June 26, 2020. (ECF No. 1.) Defendant Nelson was properly served with process no later than July 31, 2020. (ECF No. 15; Platt Decl. ¶¶ 6–8.) Accordingly, Defendant Nelson’s answer was due no later than August 21, 2020. Fed. R. Civ. P. 12(a)(1)(A)(i). The docket reflects that Defendant Nelson has not filed an answer, responsive pleading, or any other document in this litigation. (See Dkt.; Platt Decl. ¶ 9.) Moreover, the CFTC has copied Defendant Nelson on all relevant

¹ Before filing this motion, the CFTC emailed all Defendants to determine whether they oppose the motion. No Defendant has indicated his opposition.

During this litigation, the Court granted the CFTC’s motion for alternative service by email to Defendant Nelson’s email address and by mail to his most likely residential address. (ECF Nos. 12, 13.) To comply with Local Rule 5.3(a), the CFTC has served this motion and related documents on Defendant Nelson by those same means.

communications between the parties, including, for example, emails concerning proposed scheduling orders and joint status reports, and has served discovery requests on Defendant Nelson. (Platt Decl. ¶ 10.) Mr. Nelson has not replied to any emails between the parties to this litigation and has not participated in the case in any way. (Platt Decl. ¶ 11.)

Because Defendant Andrew Nelson has failed to plead or otherwise defend himself, the CFTC requests the clerk enter his default pursuant to Rule 55(a).

Dated: December 15, 2020.

/s/ Joseph C. Platt

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CERTIFICATE OF SERVICE

I certify that on December 15, 2020, I provided service to all parties via CM/ECF or by the alternative means described below:

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